

Appl. No. 10/751,362
Docket No. AA611
Amdt. dated June 18, 2008
Reply to Office Action mailed on May 30, 2008
Customer No. 27752

REMARKS

Claim Status

Before entry of this Amendment, claims 1-9, 11, and 22-29 were pending in the present application, with claims 25-29 being withdrawn from consideration. Claims 23-29 are cancelled herein. Thus, subsequent to entry of this Amendment, claims 1-9, 11, and 22 will be pending. No additional claims fee is believed to be due.

Claim 1 is amended herein to incorporate the limitations of formerly previously pending dependent claims 23 and 24. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Allowable Subject Matter

In the Office Action, claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As discussed above, dependent claims 23 and 24 are cancelled herein, and independent claim 1 is amended to incorporate the limitations of previously pending dependent claims 23 and 24.

Therefore, it is believed that claims 1-9, 11, and 22 are in form for allowance and such indication is respectfully requested.

Rejections Under 35 U.S.C. § 102 and 35 U.S.C. § 103

In the Office Action, claims 1-9, 11, and 22-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,558,499 issued to Pargass et al. (hereinafter "Pargass"). Dependent claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pargass in view of PCT Publication No. WO 00/13632 in the name of Stavrulov, and claim 23 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pargass in view of U.S. Patent No. 5,286,543 incorporating U.S. Patent No. 4,753,649.

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Although the rejections are not agreed with, claim 1 is amended herein to overcome the rejections in an effort to move prosecution of the present application toward allowance. As discussed above, the Office Action recognizes dependent claim 24 as containing allowable subject matter. As such, independent claim 1 is amended to incorporate the limitations of previously pending dependent claims 23 and 24 to move the prosecution of the application toward allowance.

Thus, it is respectfully submitted that, for at least the reasons discussed above, claim 1 is patentable under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) over the cited references. Claims 2-9, 11, and 22 depend from and include all the limitations of claim 1. As such, for at least the same reasons discussed above with reference to claim 1, claims 2-9, 11, and 22 are also patentable under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) over the cited references. Claims 23 and 24 are cancelled herein, rendering the rejections of claims 23 and 24 moot.

Therefore, it is believed that claims 1-9, 11, and 22 are in form for allowance and such indication is respectfully requested.

Conclusion

In view of the foregoing, reconsideration of this application and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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